

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MUSIC Group Macao Commercial Offshore)	Civil Action No. 14cv621- RSM
Limited, a Macao entity, and MUSIC Group)	
Services US, Inc., a Washington Corporation)	
)	MOTION FOR EXPEDITED
Plaintiffs,)	DISCOVERY
)	
v.)	NOTING DATE: June 13, 2014
)	
John Does I-IX)	
)	
Defendants.)	

NOW COMES Plaintiffs, MUSIC Group Macao Commercial Offshore Limited and MUSIC Group Services US, Inc. (collectively “MUSIC Group”), by and through their attorneys, Seed IP Law Group PLLC, and for its Motion for Expedited Discovery, pursuant to Fed. R. Civ. P. 26 and 45, states as follows:

1. Plaintiffs, MUSIC Group, filed this action for cyber fraud and abuse pursuant to The Computer Fraud and Abuse Act, 18 U.S.C.A. § 1030; cyberpiracy pursuant to Section 43(d) of the Lanham Trademark Act, 15 U.S.C.A. § 1125(d); trademark infringement, trade name infringement and false designation of origin pursuant to Section 43(a) of the Lanham Trademark Act, 15 U.S.C.A. § 1125(a); for unfair competition under Federal and Washington

1 common law; for intentional interference with contractual and business relations; and for
2 defamation.

3 2. In order to obtain the identity of the John Doe Defendants, Plaintiffs require
4 immediate discovery on a third party, Twitter, Inc., (“Twitter”) a global Internet media
5 company, with its principal place of business located at 164 South Park, San Francisco, CA
6 94107..

7 3. As alleged in the Complaint (¶ 2), Defendants John Doe are unknown
8 defendants who have posted and continue to post false and defamatory statements on the web
9 site “Twitter,” found at <http://twitter.com>, under the assumed names “NotUliBehringer” and
10 “Fake Uli Behringer.” The true name or names of Defendants John Does, aka
11 “NotUliBehringer” and “Fake Uli Behringer,” are unknown to Plaintiffs, but readily available
12 to Twitter.

13 4. The Twitter account <https://twitter.com/NotUliBehringer> on Twitter under the
14 assumed name “NotUliBehringer,” and its postings on or near March 13, 2014, and continually
15 to and including April 24, 2014, as alleged in the complaint, are specific enough to permit
16 identification of the unknown party through reasonable discovery.

17 5. The Twitter account <https://twitter.com/fakeuli> on Twitter under the assumed
18 name “Fake Uli Behringer” and its postings on or near March 3-6, 2010, March 9, 2010, March
19 10, 2010, March 23-27, 2010, April 2, 2010, June 9, 2010, and June 10, 2010, as alleged in the
20 complaint, are specific enough to permit identification of the unknown party through
21 reasonable discovery.

22 6. Plaintiffs intend to serve a Rule 45 subpoena on Twitter seeking Defendants
23 John Does’ true names, addresses, telephone numbers, and e-mail addresses. Without this
24 information, Plaintiffs cannot identify the Doe Defendants or pursue its lawsuit to protect
25 Plaintiffs’ rights from infringement, to prevent relevant customers from being confused,
26 mistaken, or deceived, or to protect Plaintiffs’ goodwill and reputation from being harmed.

7. Good cause exists to allow Plaintiffs to conduct this limited discovery in advance of the Rule 26(f) conference where there are no known defendants with whom to confer.

WHEREFORE, for the reasons stated herein and in the attached Brief in Support, Plaintiffs move the Court to issue an Order permitting Plaintiffs to conduct the foregoing requested discovery immediately.

DATED this 29th day of May, 2014,

Respectfully submitted,

SEED IP Law Group PLLC

s/E. Russell Tarleton

E. Russell Tarleton, WSBA 17,006

s/Timothy L. Boller

Timothy L. Boller, WSBA 29,079

701 Fifth Avenue, Suite 5400

Seattle, Washington 98104-7092

Telephone: (206) 622-4900

Attorneys for Plaintiffs

MUSIC Group Macao Commercial Offshore Limited, and MUSIC Group Services US, Inc.

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